

TWENTY-EIGHTH LEGISLATURE OF THE VIRGIN ISLANDS  
OF THE UNITED STATES

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Frits E. Lawaetz Conference Room  
St. Croix, Virgin Islands

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COMMITTEE ON EDUCATION, YOUTH & CULTURE  
(Part II)

Wednesday, May 6, 2009

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MEMBERS PRESENT:

Senator Wayne A.G. James, Chair  
Senator Louis P. Hill  
Senator Terrence "Positive" Nelson  
Senator Nereida Rivera-O'Reilly  
Senator Neville A. James

ALSO PRESENT:

Senator Usie R. Richards

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Thereupon, the meeting reconvened at 11:45 a.m.  
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SENATOR WAYNE A.G. JAMES: The Committee meeting of the Committee on Education, Youth & Culture is hereby reconvened.

Senator O'Reilly, you are recognized for your eight minutes. Thank you.

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CONTINUED QUESTIONS BY SENATORS  
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SENATOR NEREIDA RIVERA-O'REILLY: Good morning, Mr. Chairman. Good morning to the testifiers and to those who are here with us today.

I want to say thank you to the testifiers for sharing their testimony with us and their suggestions. And Mr. Chairman, thank you for the display of emotion. It's refreshing. It is clear that you were moved by that experience.

I don't have any questions for the testifiers. I agree that -- I support the Bill, I'd like to state that. But I agree that I think we need to do more than just declare a holiday. We need to make sure that there's an education component.

It's important to recognize that women have been the backbone of communities for centuries. I learned a lot this morning from what Mr. Chairman has shared, and

1 also from the testifiers.

2 The -- our ancestors whose names grace our his-  
3 tory books, made great sacrifices for us and paved the  
4 way for us to today enjoy freedom and justice. I don't  
5 think we can ignore their pain and the significance of  
6 their actions.

7 And if we can celebrate Christopher Columbus Day,  
8 a man who raped and killed the inhabitants of these is-  
9 lands, then I don't see why we would be opposed to cele-  
10 brating what this Bill is proposing to do.

11 So what I'd like to do is think outside the box a  
12 little bit -- and I can hear some of the naysayers say-  
13 ing, it's costly, a holiday is going to costs what \$2.4  
14 million a day, because it's a paid holiday -- and I  
15 don't think that should be a deterrent.

16 However, I think we also should think outside the  
17 box and we should engage our community and the business  
18 sector in this process.

19 And I have often heard people talk about the mem-  
20 bers of our business community benefit, to a great ex-  
21 tent, from our young people. For example, Champs, Foot  
22 Locker, Wendy's, McDonalds, and on and on.

23 So I think we need to look at the profits that  
24 these businesses make in the Virgin Islands. And I'll  
25 start with McDonalds, for example, and then ask McDo-

1 nalds to consider, at the corporate level, with the help  
2 of Mr. Cosmo Williams, to consider introducing in their  
3 happy meals, the four queens. Our kids can purchase  
4 their happy meals and collect a toy depicting the four  
5 queens. And in the happy meal there would be some his-  
6 toric, you know, component; something that parents can  
7 share with their kids about the significance of the  
8 events leading to the Fireburn and why these women did  
9 what they did.

10 I think we should also knock on doors of our  
11 theaters, our cinemas where our young people spend a lot  
12 of time. And when we sit as we eat our popcorn and  
13 drink our sodas, waiting for the movie to begin, we of-  
14 ten see the trivia questions and who's this actor; what  
15 school did he go to? I don't really care. Ask me, what  
16 was the Fireburn about? No, who is Queen Mathilda?

17 Those are the questions, those are the trivia  
18 questions that we should ask the cinema people to put up  
19 there on the screen as our young people sit down waiting  
20 to watch the movie. So, we should knock on the door of  
21 the folks who own the cinemas in the territory.

22 And we should also ask Wendy's and Foot Locker  
23 and Champs to join in the effort and to sponsor an essay  
24 contest and to award scholarships to the best essays.

25 I think these are ways to think outside the box

1 and to engage our community, our private and public  
2 sector as well. So that as we discuss the Bill, and as  
3 we move it to Rules, hopefully, and finally to Session,  
4 and as we vote on it, that we have full participation of  
5 the community, and that we are able to share in the cost  
6 as we build on an education component.

7 And so the only question that I have for any of  
8 the testifiers -- and I'd like to start with Mr. Emanuel  
9 -- is:

10 How do you see us introducing the Fireburn and  
11 the events that led to it in our schools?

12 And I wasn't here when you testified, I was on my  
13 way from St. Thomas, and you may have said that, but,  
14 you know, not just in a textbook, but at what age level;  
15 at what grade level and to what extent should we intro-  
16 duce this in our school system?

17 MR. GERARD EMANUEL: Okay, well, through the  
18 Chair to Senator O'Reilly:

19 First of all, I am refreshed by your remarks, by  
20 the creativity of your thinking, and I associate myself  
21 with those remarks.

22 I think the Fireburn is discussed in the school,  
23 it's utilized in the school already. On the elementary  
24 level, they have plays and songs and games.

25 I just think that it needs to be done more. I

1 think that what we need to do with our culture -- and I  
2 work with the Cultural Education Division -- is to in-  
3 stitutionalize our culture. We institutionalize every-  
4 thing else. The way people wear their pants below their  
5 shoulder, that's become a -- I mean, below the hip --  
6 that's become an institution. So we need to institu-  
7 tionalize the positive aspects of our culture.

8 And I think that we should not let funding be a  
9 deterrent. We need to pass the Bill; the funding will  
10 come.

11 For the Constitutional Convention we never had  
12 the right funding, but if we didn't pass the Bill, we  
13 wouldn't even be here along the route to writing a  
14 constitution.

15 We must never let people tell us about funding is  
16 a deterrent. They've always put obstacles in our way.

17 Senator Gerard used to always say "you start and  
18 you correct in flight. But if you try to get everything  
19 perfect, you never will start." So I don't think we  
20 should let the perfect be the enemy of the good, as you  
21 all say in this Body.

22 So, Senator O'Reilly, I think that we should  
23 start even before kindergarten. We need story books  
24 where mothers can be reading these stories while their  
25 children are in the womb. My wife used to read to my

1 daughter Kema, who was in your son's class, when she was  
2 in her belly. And now we've seen where she's gone to  
3 the University of Pennsylvania.

4 So I think that we need to start with story books  
5 so that when the children are born and they come to  
6 school, there's already a feeling for our heroes. And  
7 then when they go to kindergarten, these things need to  
8 be an integral part of the curriculum, not just some-  
9 thing stuck in as an aside.

10 Every subject area should have a component where  
11 our culture and our history are used as examples to  
12 reinforce those content areas.

13 THE TIMEKEEPER: 1 minute.

14 MR. EMANUEL: My grandfather used to say "you  
15 need to start from the known and go to the relative  
16 unknown."

17 So, if we use what the children know, we can help  
18 them to reinforce what they're learning in the subject  
19 areas, but from the womb to the grave.

20 SENATOR RIVERA-O'REILLY: I don't know if any of  
21 the other testifiers want to comment on the question.

22 MR. GEORGE TYSON: I'd like to say I associate  
23 myself with Gerard Emanuel's remark. And I think the --  
24 it's important to try to figure out how we can weave our  
25 history and culture and traditions into the existing



1 curriculum in various ways.

2 I mean, we can talk about this if we want to do  
3 Math; we can talk about this if we want to do Science  
4 and other kinds of things, if we are creative. And we  
5 have creative minds and creative possibilities here.

6 So, I think that's another way of just reinforcing  
7 these things.

8 The research that Wayne James has done --

9 THE TIMEKEEPER: Time.

10 MR. TYSON: -- only points out that these --  
11 there's a lot of human dimension to this, and that has  
12 to be brought out too.

13 So that this is not just a matter of victimiza-  
14 tion and violence and so on, but the humanity of the  
15 people involved and their circumstances can be brought  
16 before us.

17 And last, I would just like to emphasize that I  
18 think it's critically important that if we are going to  
19 educate, we have to be deal with new tools for our edu-  
20 cational system, and we have to start recognizing that  
21 the history that we are teaching is not what Wayne James  
22 talked about in terms of oral traditions and so on, it  
23 is a history that we find in existing text books and is  
24 passed down, and that isn't appropriate. We need to  
25 move beyond that.

1           And I think if we use this as an opportunity to  
2       recognize that this is a mandate that we have, an obli-  
3       gation that we have to the people who came before, then  
4       we could set aside funds to start that process, starting  
5       with Fireburn.

6           We don't know enough about emancipation. We  
7       don't know enough about the St. John Slave rebellion,  
8       let alone a lot of the smaller events that took place  
9       that have been obscured for one reason or another.

10          So let's see if we could get a fund that allows  
11       for local scholars to get access to this information in  
12       English, so that they could provide information and  
13       perspective that can then get into our school books.  
14       And I think that's what's going to animate young people.

15          Because when they hear it from a different per-  
16       spective with different pieces of information than they  
17       get now, they can't help but be moved. And they will  
18       cry; and they will pound; and they will shout, just like  
19       Wayne James and some of us are doing now.

20          But we have to give them the tools to be able to  
21       see the path through the prism of the presence.

22                SENATOR RIVERA-O'REILLY: Thank you.

23          And, Mr. Chairman, if I may, just a couple se-  
24       conds.

25          Just from what both of you have stated, I come

1 away understanding that we need to engage OB/GYN offi-  
2 cers, the clinics where women go for prenatal care, we  
3 -- even head start and the type of day cares providing  
4 them with the storybooks; making these storybooks avail-  
5 able so that at the day care when the children are read  
6 to, at the head start level, so that before they come  
7 into the school, and so that women who are in prenatal  
8 care can read to their unborn child, which I think is  
9 just amazing, 'cause I did that too.

10 So thank you so very much to the testifiers, and  
11 thank you, Mr. Chairman for the indulgence.

12 SENATOR W. JAMES: Thank you, Senator O'Reilly.

13 You know, the viewing audience and even the peo-  
14 ple present who may think that this has all be scripted,  
15 because interestingly, speaking of books, I have this  
16 book [demonstrating].

17 And this is one of the books that the Women's  
18 Prison of Denmark used to give to every female inmate.  
19 As she checked in, she'd be given whatever the other  
20 accommodations were of being in prison; your 'lil bed  
21 and your 'lil outfit, and get this book written in  
22 Danish that they probably couldn't read.

23 But, in any case, it is a book which dates from  
24 1821, and it's one of the books that the queens would  
25 have touched.

1           And I would like the Sergeant-of-Arms to pass  
2           this book around to the people here today just so that  
3           they can see and touch a part of history, since we are  
4           on the subject of books.

5           But I also think, as we talk about books, we need  
6           to talk as to why this wonderful book made that critical  
7           era that has been repeated generation after generation.  
8           And this is what I think the reasoning -- the reason  
9           was.

10           The four women, as I said, went to Denmark in  
11           1882 after having served four years here. And it says  
12           -- this is from that big document that I showed you, it  
13           has been translated into this. It says:

14           "For Mathilda, for Mary and for Agnes..." it  
15           says:

16           **"In accordance to this script from highest place**  
17           **of September 3, 1881, which mitigates high court sen-**  
18           **tence of May 23, 1881, sentence to death, the prisoner**  
19           **is sentenced to hard labor in prison for life. Initial-**  
20           **ly sentenced according to commission sentence on Sep-**  
21           **tember 2, 1880. Delivered to prison June 19, 1882.**  
22           **Started serving sentence on St. Croix on September 20,**  
23           **1881."**

24           And then this is the sort of procedural history  
25           of their prison sentences. It says:

26           **"In 1887, it says, sent to Police Chief on St.**  
27           **Croix December 18, 1887 in accordance with letter from**  
28           **Danish Inspector of October 31, 1887."**

29           Life in prison in Denmark at the time was 16

1 years. And so they served the four. They were initial-  
2 ly sentenced to be executed. Then that sentence was  
3 reduced to life in prison, which meant 16 years, and  
4 they served four and then were to serve the balance in  
5 Denmark. But after 1887, having served five, they were  
6 sent back; three of them.

7 Because Susanna Abramson, who I said was the el-  
8 dest of the four, she was pardoned in 1886. It says, in  
9 regards to Susanna Abramson:

10 "Released April 8, 1886. Pardoned in accordance  
11 to Royal Resolution of March 26, 1886."

12 That is how the confusion began, because there  
13 were four sent, but people forget. So the three then  
14 was sent back to the Police Chief to serve out the rest  
15 of their prison sentences on St. Croix, three of them.  
16 But "Bottom Belly" had been pardoned the year before, or  
17 several months before.

18 And there is a Police Chief in St. Thomas, his  
19 name was N.A. Kjaer, K-J-A-E-R, and he describes in his  
20 memoirs -- and I have had them translated from Danish to  
21 English, and they're going to become available for all  
22 of us -- N.A. Kjaer states that while he was Police  
23 Chief, Queen Mary came back from Denmark and she was  
24 taken by ship to St. Thomas. And while in St. Thomas,  
25 somebody questioned her as to "what are you doing in St.

1 Thomas, you're supposed to be on St. Croix." And she,  
2 according to N.A. Kjaer, put her hands and her hips and  
3 said "I was pardoned by the Crown Prince, and I can go  
4 wherever I feel like going." And she went back on the  
5 ship and went presumably to St. Croix.

6 But he must have been speaking about "Bottom  
7 Belly," because she is the only one who came back by  
8 her- self. The other three were sent back in chains to  
9 be put in prison back in St. Croix.

10 So, when people long ago had heard of the four,  
11 and then somehow forgot, and then only three came back  
12 to continue their sentences, the queens became somehow  
13 merged.

14 People knew "Bottom Belly," because she was infama-  
15 mous at the time because she was the rebel. She had  
16 been involved with the law 10 times before Fireburn,  
17 from -- ranging from several months in prison to several  
18 days in prison for various things.

19 Queen Mary had been in contact with the law  
20 twice. But the two young ones, Agnes and Mathilda --  
21 who, by the way, are the ones that dismembered the  
22 soldiers -- they were the ones that did the killing, the  
23 two young- est. They -- these three came back and one  
24 had been released before, and people realize wait a  
25 minute now, somebody was Queen Mary, we know that, and

1 one of them was "Bottom Belly."

2 So then what they said was the queens were Queen  
3 Mary, Queen Agnes, which was Axeline Solomon and Queen  
4 Mathilda, better known as "Bottom Belly," merging Ma-  
5 thilda and Susanna Abramson into one person.

6 As I said, they were young, the two of them were  
7 young girls. People didn't know them before Fireburn.  
8 They became queens as a result of their contributions in  
9 Fireburn. And that's how the mistake occurred.

10 And it's wonderful to unravel all of this because  
11 it's all fascinating and it's also relevant to all of  
12 us. And there are people walking around -- and I am now  
13 beginning to know who they are -- who are directly re-  
14 lated to them. And it's going to be a wonderful event  
15 when I give them these papers and say "Queen Mary is  
16 your great-great grandmother. So, pick your head up.  
17 Whenever anybody tell you anything saying you come from  
18 nothing, you tell them exactly who you come from."

19 But, Senator Nelson, you are now recognized for  
20 eight minutes. Thank you.

21 SENATOR TERRENCE "POSITIVE" NELSON: Thank you  
22 very much, Mr. Chair.

23 And I want to go on record to say that as you  
24 were giving your recollection, and as Mr. Emanuel and  
25 Mr. Tyson, and of course, Mr. Brown -- but particularly

1 as you were giving your personal experience, it was real  
2 moving to me also. And it should be moving to all of us  
3 in the Virgin Islands just to know.

4 I personally did not get really more in-depth  
5 knowledge about Contract Day and Emancipation Day until  
6 after I had been college; lived and worked in the states  
7 for 10 years and came home and was right down here in  
8 Frederiksted at Buddhoe Park listening to Mario Moorhead  
9 speak on the matter.

10 And I sat there and asked myself, well I remember  
11 History class in high school and in all my years, and at  
12 no time did we get even ah -- I mean, I wouldn't even  
13 self say one-fourth, we didn't get a tenth of the infor-  
14 mation. It was just gleaned over, poosh!

15 And so to get that, it gives you a sense of at-  
16 tachment. And, like you, it gave you a sense of pur-  
17 pose. And I believe knowing this type of history is  
18 what's going to give our children -- we're talking about  
19 "turn around" -- knowing this type of history is what  
20 would turn our children around. So, I appreciated all  
21 that you put on record.

22 And I've heard some comments and statements being  
23 mentioned about don't let it just be another holiday.  
24 And I agree, and I just want to make it clear that there  
25 is a recognition that happens on October 1st right here



1 in Frederiksted every year.

2 I participate, I participate wholly. And there's  
3 also a recognition of Emancipation Day held by the Yes-  
4 terday, Today and Tomorrow Committee. So I don't want  
5 it be underscored as if nothing happens on some of these  
6 days. I agree that more ought to happen and we need to  
7 make it more of a grandeur event and even funding at  
8 some point.

9 But what I want to encourage my colleagues and  
10 this Committee, in particular, to do is that, it's pro-  
11 found enough of a statement to pass this holiday. That  
12 in itself sends a statement to our children and to the  
13 world of where our values are at.

14 I agree with some of the statements made, and it  
15 can be dressed up to be more definitive in what type of  
16 events ought to be held, no problem there. But I don't  
17 want us -- we should not hold this up.

18 We need to understand that, in part of the  
19 healing that needs to occur in this Virgin Islands, and  
20 to our children, and even to some of us, is that we need  
21 to have full reverence of days of such because it's who  
22 we are, it's all part of who we are, all of the days of  
23 our history.

24 I am concerned that the Department of Ed did not  
25 have a view on it. And Mr. Emanuel, you gave your per-

1 sonal view and your historic -- your view as a histo-  
2 rian, but the Department of Education should have.

3 And, as a matter fact, as I was sitting here, you  
4 know what ran through my mind, as I listened to Mr. Ty-  
5 son, Mr. Emanuel and yourself speak? I said "wow, we  
6 were saying we couldn't find a Commissioner of Educa-  
7 tion." I'll tell you this, knowing your history is very  
8 important to the educational process. I'll say it  
9 again: Knowing your history is very important to the  
10 educational process.

11 That's why I did not vote for this current Com-  
12 missioner. She might be good at other things, but if  
13 you can't attach, then it's a problem; okay? And I'm  
14 not mincing words there.

15 I have already submitted an amendment to remove  
16 "Contract Day," wherever it is listed -- and that's the  
17 immediate amendment that I'll make. But I'm asking my  
18 colleagues for the support of this measure, because I  
19 don't see how or why we should be against it.

20 I understand, you know, the desire to have an  
21 appropriation as Mr. Jackson stated, but whether it be  
22 the Cultural Institute or the Department of Education or  
23 the Yesterday, Today and Tomorrow Committee to host  
24 activities, you know, I support that.

25 What I don't want to do is laden this Bill down.

1 Because I think it is of importance for us to pass the  
2 measure. I think it says something about us recognizing  
3 what we're made up of.

4 I'm particularly interested in the private sector  
5 acknowledging these days. Usually, the private sector  
6 does not acknowledge any of our local holidays.

7 I must say again that remember, right now as we  
8 speak, as part of a cost-cutting measure, a cost-cutting  
9 plan being considered by our current Governor is to re-  
10 move Emancipation Day as a paid holiday. That disturbs  
11 me as a Virgin Islander. It disturbs me immensely.

12 I've got a letter that I'm forwarding to the Go-  
13 vernor, because I believe our head of the territory,  
14 knowing this history, or ought to know the history of  
15 these Virgin Islands, to talk about touching that day in  
16 a way that is taking away from it, it says something  
17 about his consciousness...or the lack thereof.

18 And I have a problem with that. I can't hide it.  
19 I've had couple sleepless nights from ever since it was  
20 mentioned to me. And he looked at me dead in the face.  
21 It concerns me when the head our territory, knowing the  
22 significance of this Virgin Islands, particularly to St.  
23 Croix and what Emancipation Day and Contract Day means.

24 A question I would have -- and it was asked --  
25 how should it be introduced in our schools?

1           Many of our teachers are unaware of the -- are  
2           not educated on what the day really is; a lot are. The  
3           department itself -- and it's mentioned, the elementary  
4           schools make an effort, but it needs to be -- and I'm  
5           willing to sit with Mr. Tyson, yourself, Mr. Emanuel,  
6           you, Mr. Chairman, the representative of OVILU, to spell  
7           out more clearly what type of activities we'd like to  
8           see.

9           THE TIMEKEEPER: 1 minute.

10          SENATOR NELSON: I'll remind you all, however,  
11          there are some days listed already in our V.I. Code and  
12          -- with prescriptions of how they are to be recognized,  
13          that still are not carried out that way.

14          So it really becomes an individual and collective  
15          responsibility for us to uphold it. So I'm with you  
16          when you said "don't let money be the obstacle," be-  
17          cause we recognize these days already.

18          And it's up to us to uphold these days as a  
19          collective society. I like what you said, Mr. Tyson  
20          about a fund so that local scholars can have access to  
21          records and have them translated. Because, you're  
22          right, the Danes did keep meticulous records; they did.  
23          They still have them.

24          And it's unfortunate -- it's something we have to  
25          say about ourselves here, is that we must have the pro-

1 per facilities, air controlled facilities, air and wa-  
2 terproof facilities that can take -- that -- so that we  
3 can get back some of these documents from Denmark.

4 I'll tell you this: We talk about tourism, a lot  
5 of tourists that go to these places go there to research  
6 our history.

7 So we're talking about economic stimulus, our  
8 history is of interest to the world, but we don't have  
9 it here. So, thus, they go other places to study these  
10 things.

11 So, I don't have any questions for you. You all  
12 are clear. Everybody is pretty much in support.

13 I'll just say this on behalf of OVILU so that  
14 people can understand where that came from. It wasn't  
15 just wanting something else -- and I'll close with this,  
16 Mr. Chair, I know time was called.

17 OVILU, Our Virgin Islands Labor Union, was mir-  
18 rored off of the Bylaws and Constitution of the St.  
19 Croix Labor Union. We saw what D. Hamilton Jackson's  
20 vision was, and we figured that it needs to be conti-  
21 nued. We wanted to pick up the fallen torch and conti-  
22 nue to carry it.

23 Every year Cornell University calls me, they are  
24 still curious to know how we were able to, in 50 years  
25 of American history, this is the first independent union

1       formed anywhere in America, independent of AFL-CIO um-  
2       brella.

3               We need to understand what we're doing here and  
4       the value that we add to the rest of the world.

5               And with that, I'm going to wait -- I was waiting  
6       to speak for last, but I guess, strategically individu-  
7       als were popping in and out.

8               Last time, just for your information, what held  
9       this up was a chain and ball that was put on the Bill to  
10      remove another holiday. I'm asking the proponent who  
11      offered that at the time to let's not laden this one  
12      down. If you want to make that argument, make it sepa-  
13      rate and apart from. But I don't think -- I think we  
14      all should see what a profound statement it would make  
15      for us to declare this and uphold this as a full scale  
16      holiday with proper activities to be recognized in the  
17      Virgin Islands.

18              And I'm sorry I didn't have any questions for you  
19      all, but you all are clear enough for me.

20              Thank you very much, Mr. Chair.

21              SENATOR W. JAMES: Thank you, Senator Nelson.

22              I'd like to recognize the presence of Senator  
23      Neville James.

24              SENATOR NEVILLE A. JAMES: Good morning -- or  
25      good afternoon.

1           SENATOR W. JAMES: Good afternoon.

2           Senator Richards, you are recognized for eight  
3 minutes.

4           SENATOR USIE R. RICHARDS: Good morning, Mr.  
5 Chair, members of this Body, the testifiers and the  
6 viewing audience.

7           I have a couple of concerns that I plan to share  
8 relative to the Bill. And I will, to the best of my  
9 ability, exercise great restraint in responding to the  
10 previous speaker, who say he want to talk last. I don't  
11 care whether I talk first or last, it doesn't change my  
12 principle, nor does it change my belief.

13           I looked around this room and I don't see not one  
14 single individual, barring none, that has participated  
15 and supported the events of "Fireburn Day" on the island  
16 of St. Croix longer than I have, barring none and not  
17 one.

18           And so with that context said, I've listened to  
19 some of the testimony, as I may have missed those while  
20 I was in flight in transit here, and would like to offer  
21 some -- some advice.

22           Because the point was being made that we need to  
23 teach our children and we need to have it in school.  
24 Our children and our schools are a reflection of the  
25 state of mind of our adult society. And so that adults,

1 or as adults, we are responsible for setting the tone  
2 that children would follow. I think that's why they  
3 call it "parenting."

4 And with that said, as the previous speaker might  
5 have assumed, I still have my amendment that I had in-  
6 troduced to Bill 27-0170, which is today being referred  
7 to as Bill 28-0010. And a history ought to be truly  
8 reflective.

9 And it's not intended to add a burden to this  
10 Bill. But it's intended, if we are truly speaking about  
11 repairing the mentality of this community, to take cor-  
12 rective action.

13 And so that I am fully -- and I repeat slowly --  
14 I am fully in support of October 1st becoming a legal  
15 holiday. And the amendment that I plan to introduce at  
16 some way along the road of this legislation is not only  
17 to adopt "Fireburn Day" as a legal holiday, but to  
18 replace the day that is recognized by some of March  
19 31st, Transfer Day, as a legal holiday.

20 I can't conceive, at least in my mind and my ex-  
21 perience on this island, why we can't see the signifi-  
22 cant relationship of the Danes and then African slaves  
23 and then free slaves of 1848, 1878 as a more significant  
24 way of all those of Danish ancestry that continue to re-  
25 side within this territory, to begin -- what you keep



1 calling it -- the "reparations" owed to all of us as re-  
2 cognizing this as a significant day in this history of  
3 the Danish West Indies.

4 I believe you, Mr. Chair, spoke of your dinner.  
5 What you said it was? Some Italians?

6 SENATOR W. JAMES: Yes.

7 SENATOR RICHARDS: And the significance that they  
8 saw in these four ladies that led a Fireburn. What is  
9 the relevance today -- and I listened to you, Mr. Presi-  
10 dent, I does go to the beach on Transfer Day. I've ne-  
11 ver been to a Transfer Day celebration, not as a Senator  
12 and not as a Senate President, because it is of no sig-  
13 nificance today. It may have been back then in 1917 to  
14 see the raising of the U.S. flag and the taking down of  
15 the Danish flag. You're trying to tell me that is more  
16 significant than October 1st of 1878?

17 And, yes, it is an issue. 'Cause as an elected  
18 representative of government -- of which each legal ho-  
19 liday have a cost -- a bottom line of dollars and cents  
20 -- I was a member, I believe Senator Hill, in the 25th  
21 Legislature, we removed some 3, 4 or 5 legal holidays  
22 from the calendar of the Virgin Islands laws. Not only  
23 of monies, but the historical significance of them and  
24 the purpose for which they were legal holidays, no lon-  
25 ger really existed in our community, until we get Hurri-

1       cane Hugo or Marilyn, then everybody want to go to  
2       church on Hurricane Supplication Day. That used to be a  
3       legal holiday.

4               And so that, if the previous speaker had just  
5       submitted a -- what it was -- a drafting request to spe-  
6       cifically say in the Bill "not Contract Day," but "Fire-  
7       bun Day," shortly he'll get his letter saying he's been  
8       preempted, 'cause I've been having this legislation  
9       since back in the 27th Legislature. Because you're ei-  
10      ther going to be fish or fowl.

11              It used to be "Contract Day" until October 1st of  
12      1878 when it became "Fireburn Day." And so that amend-  
13      ment exist and the drafting request is numbered 28-184.

14              THE TIMEKEEPER: 1 minute.

15              SENATOR RICHARDS: And also included in that  
16      amendment is to remove March 31st, known as Transfer Day  
17      as a legal holiday. That's just one Senator. It takes  
18      others to support it.

19              But I began by simply stating that as adults it  
20      is our responsibility to bleed -- excuse me -- to lead  
21      the way and to cut the path of which children will  
22      follow.

23              And I don't see many of you running up and down  
24      here on Transfer Day. I know some of you get invited to  
25      events. I've been to them out there, out in ah -- what

1 is it -- Lawaetz Family Museum. But it's time that  
2 family museum and those persons that sit on those lawns  
3 come down on October 1st and sit in Buddhoe Park and  
4 begin to recognize the importance --

5 THE TIMEKEEPER: Time.

6 SENATOR RICHARDS: If I could complete, Mr.  
7 Chair?

8 SENATOR W. JAMES: Yes.

9 SENATOR RICHARDS: -- the importance of Fireburn  
10 Day and their role and the role of their ancestors in  
11 addressing the repairing of this community.

12 I was -- happened to be one, like the previous  
13 speaker, that attended the -- or joined the group of  
14 ACCRA, that went to Copenhagen, Denmark.

15 And those Danish individuals -- I think we stayed  
16 at your favorite hotel. When we were there, they said  
17 "this the hotel that Wayne James does stay in all the  
18 time," so we been in your hotel.

19 But the point that I'm trying to make is that  
20 they understand -- and those that are Danish and live in  
21 Denmark today don't even self know that part of their  
22 history. And that this little island called "St. Croix"  
23 that used to be called "the bread basket of the  
24 Caribbean" -- I didn't say "Virgin Islands" -- "of the  
25 Caribbean" -- was responsible for close to 60 to 70% of

1       their economic market.

2               And so that is why we ain't got to worry about  
3       the flags going up and down, but why we got to recognize  
4       those people in those times that made the Danish economy  
5       what it was.

6               And so I will be introducing the amendment, whe-  
7       ther I get a second or not, it requires one in order to  
8       be discussed. But we have to take the bold step of  
9       putting the holidays in place that we as adults would  
10      want our children to understand.

11              And thank you, Mr. Chair.

12              SENATOR W. JAMES: Thank you, Senator Richards.

13              Senator Neville James, you are recognized for  
14      eight minutes.

15              SENATOR N. JAMES: Thank you, Senator James.

16              You know, I was driving down listening to the  
17      testifiers and just thinking back: I want to focus on  
18      this "holiday" aspect. Because I've been a government  
19      employee for 20 years. We used to have Organic Act Day.  
20      I think that was the third Monday in June. Why was the  
21      celebration for Organic Act Day? Because of the signi-  
22      ficance of the Organic Act is what we're supposed to be  
23      living by and what is established -- what establishes  
24      the guidelines for us to function as a territory.

25              And, you know, I wrote down Hurricane Supplica-

1 tion Day. I think that used to be the last Monday in  
2 July. No, Hurricane Supplication Day was the last  
3 Monday in July. And I could recall in 1989 there was an  
4 attempt then to wipe it out, and we all know what hap-  
5 pened in 1989. Eventually, that took place.

6 And we used to have Hurricane Thanksgiving Day,  
7 which used to be, I think the third Monday in October.  
8 It used to be the Monday after Columbus Day, because I  
9 think we used to give thanks that the hurricane season  
10 passed and all that.

11 Those three days are gone. So it's not that the  
12 Virgin Islands, as a territory, has never wanted to give  
13 recognition to the way we live; the significance of cer-  
14 tain days and what have you.

15 We have Emancipation Day, which I think is an  
16 awesome day, given that it's right before Independence  
17 Day. Emancipation is local; Independence is American.

18 And, by the way, you know, I hear a lot of people  
19 talking; they praising the Danes and all that good  
20 stuff. We never had it so good like we have it now. We  
21 free as a people here. We might have some colonialistic  
22 mentalities, but I would take America and the way of  
23 life in America over the rest of them. That's just my  
24 position.

25 SENATOR RICHARDS: What?

1           SENATOR N. JAMES: You could hit me all you want.  
2           I'm a History major as well. But I know we got flexibi-  
3           lity and latitude as Americans that a lot of people wish  
4           they had.

5           So we could keep knocking this fact that we're an  
6           American territory; I'm not. And 'taint because I born  
7           in New York either, 'cause I had no control over that.  
8           But I'm very serious about that.

9           I keep this -- no, I just -- you know the fact  
10          that, you know, we have -- I think we're approaching --  
11          what are we 98 -- 92, I mean -- March 17th -- March 31,  
12          1917. And I take offense to how we keep wanting to di-  
13          minish what America and our relationship with America,  
14          you know, has done for us. It's not perfect, but we've  
15          had seven flags for a reason.

16          And this idea that, you know, one out of the pre-  
17          vious six was so righteous, and America -- not me. And  
18          I want to put that on the record.

19          We have Liberty Day. Liberty -- so the word  
20          "liberty" is very important to me. No, if we really  
21          want to do something maybe we could start something on  
22          October 1 and carry it to November 1, and let we have a  
23          month of -- no, serious.

24          Because I could recall October 1, 2002, that was  
25          the last "free October" I had since I decided to become

1 a politician. And I was down here in the Frederiksted  
2 Fort, and Senator Richards had just come from campaign-  
3 ing, he was canvassing that night.

4 And we sat there, and Dr. Highfield was the guest  
5 speaker for the function that took place in the Fort.  
6 And he said, you know, we keep wanting to talk about the  
7 Contract Day and all that, but we need to focus on the  
8 spirit of those who wanted to make the sacrifice for us.  
9 We keep ignoring that they weren't going to back down;  
10 they were coming forward, because they felt they had  
11 just cause for what they were fighting for.

12 And then, of course, we got Transfer Day, which  
13 is March 31st. And, unlike Senator Richards, I came  
14 down here in 1992, I think that was the Diamond Jubilee,  
15 I think that's what they called it - '92. Seventy-five;  
16 right?

17 SENATOR W. JAMES: Yeah, it was 75.

18 SENATOR N. JAMES: Seventy-five years old. And  
19 we -- part of us getting the day off was we had to show  
20 up in west. And Governor Farrelly, at the time, it was  
21 a big "shing-ding." And, you know, I remember the meet-  
22 ing we had last year and the Transfer Day, there are  
23 those who said we had enough; we don't want to talk  
24 about it anymore; we want to move.

25 And the previous speaker has stated that Contract

1 Day is exponentially more valuable to us, in his opi-  
2 nion, which he's entitled to, than Transfer Day, and  
3 that might be so.

4 But with all of the holidays and all of the re-  
5 cognition, the question still remains, how are we func-  
6 tioning as a people in this supposedly free society?

7 Are we better off than we were 75 years ago? Or,  
8 no, I guess 92 years ago? March of 1917?

9 Are we better off than we were 121 -- 131 years  
10 ago? With 1878, 1848, we're looking at another 161 ago?  
11 And that's really what I want to focus on, you know.

12 And I think if we really want to do something,  
13 the one month period that covers the month of October,  
14 where we actually recognize Columbus Day -- because ap-  
15 parently Columbus was supposed to be this great naviga-  
16 tor of the seas, and came down here, and he discovered  
17 us, as if we didn't have a history prior to him being  
18 here or finding us, when he claimed he was going east  
19 and end up southwest, you know. It's amazing to me.

20 But, you know, I want to commend the sponsor,  
21 because there are those who want us to totally forget  
22 our history, and that can't happen. Under no circum-  
23 stances we would allow that.

24 And I just want us to actually keep wanting to  
25 strive to work towards perfection, hopefully putting a



1 calendar in place that would stop this. Let we esta-  
2 blish what we going to recognize as the true important  
3 days as a territory and not continue to fight. 'Cause  
4 it looks like we're fighting each other here over what  
5 is more important than the other.

6 THE TIMEKEEPER: Time.

7 SENATOR N. JAMES: And I really don't believe  
8 that serves a purpose for us as we try to be a good, but  
9 not perfect, free society. Because that's what it's all  
10 about, freedom; not only to live, but mentally. And we  
11 can't ignore that.

12 I thank you very much, Mr. Chairman.

13 SENATOR LOUIS PATRICK HILL: You're very welcome,  
14 Senator James.

15 Mr. Emanuel, the distinguished Senator from St.  
16 Croix made the point of talking about Transfer Day and  
17 Fireburn, what's your position on that? What do you  
18 think of his position?

19 MR. EMANUEL: I agree with the position. I am  
20 only concerned that --

21 SENATOR HILL: Bring the microphone down a little  
22 bit?

23 MR. EMANUEL: I agree with the -- if you mean the  
24 position of substituting Fireburn Day --

25 SENATOR HILL: Yes.

1 MR. EMANUEL: -- for Transfer Day, I agree with  
2 it. I just don't want to get caught up in a battle bet-  
3 ween having Fireburn Day and not having Transfer Day.

4 I don't want to -- the Legislature to get in a  
5 battle. I could see the wisdom in it because the first  
6 thing people are going to say is "it cost too much,  
7 we're having another holiday." So I understand the wis-  
8 dom in what he's saying.

9 I just don't want to lose the opportunity to make  
10 Fireburn Day a holiday, because it needs to be done.  
11 And, even if wasn't made a holiday, my main focus is to  
12 ensure that we properly commemorate these days, whether  
13 it's a holiday or not.

14 SENATOR HILL: Right.

15 MR. EMANUEL: So I could accept it.

16 SENATOR HILL: What are some of things that you  
17 think we should be doing to properly commemorate?

18 MR. EMANUEL: Okay, first of all I work with the  
19 Cultural Education Division, and what we've been doing  
20 the past few months is working with various persons who  
21 are documenting culture throughout the United States and  
22 its territories.

23 We've been talking with people who have worked in  
24 Hawaii and Alaska, on what they've been doing to docu-  
25 ment culture within their communities. And one of the

1 main things that they said that has to be done is we  
2 need professional development for the teachers in this  
3 specific area.

4 I mean, you could get professional development in  
5 classroom management techniques, etc., but we're trying  
6 to get to the point where we can conduct additional pro-  
7 fessional development for teachers, because if we don't  
8 do that, all of this is for naught.

9 The teachers are the ones who have to pass this  
10 information on; who have to generate a sense of enthu-  
11 siasm within the student population for this informa-  
12 tion. So that's what we're trying to do, get the tech-  
13 niques together to provide professional development.

14 SENATOR HILL: It's "Dr. Tyson" or "Mr. Tyson?"

15 MR. TYSON: Mr. Tyson.

16 SENATOR HILL: What are your thoughts on the Bill  
17 that is before us and how it could actually be fashioned  
18 to accomplish sort of what you have all expressed today,  
19 which it doesn't right now? What are your thoughts on  
20 that?

21 MR. TYSON: Well, I think I did mention some of  
22 this. I do think that there should be something man-  
23 dated with respect to some kind of commemoration, offi-  
24 cial, formal commemoration that takes place on this day.

25 I think there should be efforts made to make sure

1       that the educational system collaborates with that ef-  
2       fort. I think that some of the things that Myron Jack-  
3       son has suggested makes a lot of sense in terms of re-  
4       cognizing places and so on that we could utilize as part  
5       of our cultural heritage to make it more meaningful.

6               And I come back to what I said before about docu-  
7       mentation and translation and so on.

8               To get to the history of the Virgin Islands is a  
9       formidable task. And Senator Richards points out, and  
10      others, we need a -- we need to get the facility; but we  
11      also have translation problems. And those documents  
12      that we would bring here or could use are still in a  
13      language that even Danes can't read.

14              So getting that in a form that Virgin Islanders  
15      can start making use of is a daunting challenge. But I  
16      think that it needs to be addressed, because otherwise,  
17      the history will be what it is, and will be the privi-  
18      lege of people like me who can get to the archives and  
19      use it, but will not be accessible to people here who  
20      are removed from them, and who can't afford the costs or  
21      the challenges to get to it.

22              I want to make a comment about Transfer Day, if I  
23      can?

24              SENATOR HILL: Sure.

25              MR. TYSON: And I'll just suggest this to Senator

1 Richards.

2 First of all, Transfer Day is an event in the  
3 history of this island, whether we like it or not. And  
4 I think it should be recognized for that. It changed  
5 our lives; it changed the lives of the people of this  
6 island, for better or for worse. And we may argue about  
7 that, but it is an event. But it need not be celebrated  
8 a certain way.

9 And actually Senator James raised a very impor-  
10 tant point at the last Transfer Day ceremony. "We need  
11 to think about what it means to be "'transferred.'" We  
12 need to use that as an occasion for discussing that very  
13 issue. That's number one.

14 And then secondly, we need to use it as a point  
15 of departure for figuring out where we want to go next  
16 -- where "we" want to go next; not where other people  
17 want to take us.

18 So, I think we can use that day creatively and  
19 imaginatively to get to some other point than we are  
20 now. And so I would advocate keeping it but using it  
21 for different purposes than we do today.

22 SENATOR HILL: Thank you.

23 To both of you and -- well, to all three of you:

24 The legislation that is before us this morning,  
25 which is very small, the whereas clause is in there, but

1 the actual Bill is very -- a piece of sentence really.

2 Do you feel that that appropriately will achieve  
3 and accomplish all of the sentiments that we just shared  
4 -- that you have shared, and the vision and the -- and  
5 the substance that needs to be attached to this event?  
6 Do you feel that the legislation as it is can accomplish  
7 that? Mr. Emanuel?

8 MR. EMANUEL: No. But, as I said earlier, I  
9 don't want us to let the perfect be the enemy of the  
10 good.

11 As Jessie Jackson used to always say "don't get  
12 caught up in the paralysis of analysis."

13 As Senator Gerard used to say, "you start and you  
14 correct in flight."

15 I think we have a Bill that plants a seed. We  
16 know that we're in terrible economic times right now.  
17 To try and get into a discussion about finances and all  
18 that is counterproductive. You all just dealt with yes-  
19 terday, giving the Governor the authority to borrow more  
20 money. To try and put an attachment to this now is  
21 really going to be counterproductive.

22 I think we need to plant the seed; plant the  
23 seed, have the holiday, and maybe you could implement it  
24 next year because of our economic situation.

25 SENATOR HILL: But, Mr. Emanuel, I'm not making a

1 point about finances. That was not my --

2 MR. EMANUEL: Okay.

3 SENATOR HILL: -- line of questioning or my  
4 thoughts at all.

5 My thought was based more on the issues of the  
6 actual recognition and how you implement it and what it  
7 is you do, and what it really means, and then what is  
8 accomplished in the schools.

9 In the comments that was made by Mr. Jackson, I  
10 just think that it would be to all of our benefit if the  
11 Bill reflected those things, and would -- the language  
12 would accomplish those things. As it is now, it  
13 doesn't.

14 So, it's not the finances that I'm talking about  
15 at all.

16 MR. EMANUEL: Okay, I understand, Mr. Chair.  
17 Sorry about that.

18 I agree with what you're saying, it's just that I  
19 don't want the Legislature to get into a battle of what  
20 to do in the Bill and what to not do in the Bill.

21 I think those things could be left to the Depart-  
22 ment of Education, the Cultural Heritage Institute, the  
23 Cultural Education Division, they could operationalize  
24 it.

25 The Legislature just passes broad legislation,

1 but when you get into micromanaging, that's where the  
2 problem comes in. And we have a plethora of different  
3 opinions in here. So, plant the seed, we could water  
4 it.

5 For example, there's a very fundamental difference  
6 between the Cultural Heritage Institute and the  
7 Cultural Education Division. Their mandate is to pre-  
8 serve culture and monuments.

9 We have a very singular laser like focus. We are  
10 Cultural Education. Yes, we want to preserve culture,  
11 but we have a more important mandate. We want to uti-  
12 lize culture as a tool to facilitate, augment and en-  
13 hance academic achievement. So that's where I come into  
14 the picture now. I'm putting on my Cultural Education  
15 hat, moving the history hat. So when cultural education  
16 gets involved in it, we will be able to do all those  
17 things. We will be able to utilize the holiday or the  
18 occasion to get information into the schools via the  
19 teachers, and sometimes we on our own do presentations  
20 ourselves.

21 So I don't want the Legislature to get involved  
22 in a battle about whether we need to create monuments or  
23 have the business sector involved. Plant the seed, and  
24 let the Executive Branch of government, which executes  
25 policy, do its job.



1           SENATOR HILL: Mr. Tyson?

2           MR. TYSON: I would have to second most of his  
3 remarks. I think it would be unfortunate if the Bill  
4 was so laden with either financial or other kinds of  
5 obligations that it would not get passed.

6           I would think that, as Gerard Emanuel just said,  
7 that you could mandate that the day be -- if you mandate  
8 that the Cultural Education unit and the Institute of  
9 Culture would be charged with taking appropriate steps  
10 to recognize this day when it occurs. And it would be  
11 up to them because they have the capability to move for-  
12 ward with a program, both in the schools and in the com-  
13 munity, between them. So, it's to get that to happen.

14           And you need not necessarily put funding behind  
15 it, even though those entities are probably under-bud-  
16 geted seriously already, but that's somewhat of another  
17 issue.

18           And I think once you challenge them or require  
19 them to do that you will get something. And the next  
20 step would be to figure out whether you did enough.  
21 And, if not, then you could put another piece of legis-  
22 lation forward that says "we need more and we need it  
23 better." So that would be my recommendation.

24           SENATOR HILL: Okay.

25           I don't have any further questions or any com-

1 ments.

2 Senator Richards?

3 We'll go for a final round of three minutes.

4 -----  
5 QUESTIONS BY SENATORS (2ND ROUND)  
6 -----

6 SENATOR RICHARDS: Okay. Thank you, Mr. Chair.  
7 I was just going to say I only need two, but since you  
8 gave me three, I'll take that.

9 And let me be clear and succinct, and I think  
10 that both Mr. Emanuel and Mr. Tyson has some grasp of  
11 what it is I was trying to get across.

12 And my point is is that I have no intention of  
13 allowing my amendment to be the vehicle for the legisla-  
14 tion not to pass; that's number one.

15 My second point is that, it is my impression from  
16 where I sit, given my experience, that if we're going to  
17 add a new holiday, it'll be nice to look at what holiday  
18 we want to take off, because as legislators, we are in  
19 fact responsible for some controlling of the purse  
20 strings of the territory.

21 Thirdly -- and so well-spoken by Mr. Tyson --  
22 "what does it mean to be transferred?" It was not my  
23 intention to have a discussion or to begin an argument  
24 relative to which one is more important.

25 But on 1878 of October 1st was the only day, one

1 time a year, that freed slaves could ask to be trans-  
2 ferred from one plantation to another. That's the ori-  
3 ginal "transfer day."

4 And so that, if we look at our historical per-  
5 spective -- I don't know, Mr. Emanuel, I see Dr. Moore-  
6 head back there, but you probably had this book after  
7 his time. But when you and I got educated under the  
8 ways of catechism in a Catholic School, fortunately for  
9 us we had Virgin Islands History. What the book had  
10 name? "St. Croix Under Seven Flags."

11 THE TIMEKEEPER: 1 minute.

12 MR. EMANUEL: Mr. Chair?

13 SENATOR RICHARDS: No, the question is you, but  
14 my time ain't up yet.

15 MR. EMANUEL: Okay.

16 Yes, the Chairman had discussed that earlier. It  
17 is the "St. Croix Under Seven Flags."

18 SENATOR RICHARDS: And that's the book there?

19 MR. EMANUEL: Yeah.

20 SENATOR RICHARDS: 'Cause we had that book in St.  
21 Joseph. But I missed all of that, I probably been on  
22 the plane.

23 But my point was, is that ah -- that's a shame,  
24 within a private school setting and you didn't self had  
25 a sort of -- irrespective of what the author was; what

1 the content -- at least an introductory education in a  
2 public school system relative to Virgin Islands History.

3 And so, with that said, Mr. Chair -- and pardon  
4 me for being redundant and repetitive, I didn't know if  
5 you had made mention of the book, but I'm sure that it's  
6 before Dr. Moorehead now, because he's a little younger  
7 than those of us who are in the world.

8 But, I do want to say that Senator Nelson should  
9 not have no fear of what I'm bringing as an amendment  
10 because --

11 THE TIMEKEEPER: Time.

12 SENATOR RICHARDS: Mr. Chair, if I could com-  
13 plete?

14 SENATOR HILL: Yes.

15 SENATOR RICHARDS: -- if the Governor veto it for  
16 the pretext of that we're committing a certain amount of  
17 funds for this one holiday, however much money it takes  
18 government employees to be home that day, then we would  
19 have already preempted that position and have a real  
20 reason to override. So that's my sole concern.

21 And thank you, Mr. Chair.

22 SENATOR W. JAMES: Thank you, Senator Richards.

23 And I'd just like to clarify a little bit:

24 George Tyson did characterize my sentiments at  
25 the last Transfer Day -- the last Transfer Day event

1 when I gave the speech correctly.

2 The point I was trying to make was this:

3 Should we as a people be looking forward to the  
4 100th Anniversary of Transfer? Or should we be looking  
5 forward as a people to the first anniversary of indepen-  
6 dence? That was the statement I put onto the record,  
7 because I think that we too had founding fathers. And  
8 our founding fathers may not have agreed with the notion  
9 of being transferred from Denmark to America.

10 When Buddhoe did what we did in 1848 to fight for  
11 freedom, he may have meant "freedom," period. And when  
12 the queens burned the island in 1848 -- 1878, excuse me  
13 -- they may not have meant let's burn it to hurt the  
14 Danes so that we can go back under them when the sugar  
15 cane grows back, they may have meant let's burn it down  
16 period.

17 And so we as their descendants have to ask that  
18 question. And I think that we as former Danes, that are  
19 now Americans, within an African and an Afro-Caribbean  
20 context, have to think based on the things that we got  
21 from America. I mean, we got things from the Danes.  
22 They got connections to our ancestors, and they have  
23 these wonderful records that we can now utilize and all  
24 of that. Every flag had its impact, good and bad.

25 But one of the things that we got from America

1 was the concept of freedom of thought; freedom of ex-  
2 pression; freedom of ideas. And it would be un-American  
3 of us to -- I mean, hey we were transferred so we became  
4 part Americans. And part of becoming Americans was this  
5 idea of questioning the questions. I mean, questioning  
6 the questions. And we need to ask, we need to ask, what  
7 was this all about? And what are we to derive from it?

8 And, yes, I think that we should celebrate Trans-  
9 fer Day because we need to remember what we are. But we  
10 also need to ask where are we supposed to be going, and  
11 let us decide that for ourselves.

12 And that was the purpose for that comment, as to  
13 whether we should be celebrating the 100 Anniversary.  
14 I'm looking forward to it, and I think we should. But  
15 should we also be thinking about celebrating the first  
16 say of independence so that we can be who we are sup-  
17 posed to be.

18 Mr. Emanuel, yes?

19 MR. EMANUEL: Mr. Chair, what you just said about  
20 the motives of Queen Mary reminded me of some research  
21 that I uncovered back in 1979, and your sentiments are  
22 correct. The Governor at the time, Governor August  
23 Garde when he saw what happened on St. Croix, he didn't  
24 feel they just wanted to just burn down and go back  
25 under the Danes. They wanted to have independence.

1           And those statements are in the official record  
2           in Denmark. So our ancestors really were looking to  
3           take over this island and run it themselves. So I asso-  
4           ciate myself with those remarks.

5           SENATOR W. JAMES: Now, I missed a little bit.  
6           Mr. President, we have begun the second round of three  
7           minutes.

8           SENATOR HILL: Yes, Senator Richards was first.

9           SENATOR W. JAMES: Okay. I think Senator Nelson  
10          is next and then Senator O'Reilly.

11          Senator Nelson, you're recognized for three  
12          minutes.

13          SENATOR NELSON: Thank you very much, Mr. Chair.

14          I can't say how much, and I'm quite certain the  
15          listening audience, those present and those over the  
16          media, can appreciate the discussion we're having today.

17          And what you just mentioned, Mr. Chair, is some-  
18          thing I've often wondered, particularly when I hear cer-  
19          tain discussions being -- taking place, that they stop  
20          shy of talking about independence.

21          And that's where I feel that the native argument  
22          that you make is not a conclusive argument. 'Cause if  
23          you're going to want certain freedom and rights, you  
24          have to be truly a self-governing; and right now we're  
25          not.

1           So that word "independence," is something that we  
2           really need to start to let, you know, circulate within  
3           our consciousness to realize where it is we really want  
4           to go. And that's a very big statement being made.

5           And there are many in the territory who are quite  
6           comfortable with our current designation as a modern day  
7           colony, but some of us are not.

8           There are many who feel that we can't do without  
9           being under the American flagship, but some of us are  
10          not.

11          I'll remind you that HOVENSA over there on the  
12          south shore contributes about \$1 billion to the U.S.  
13          Treasury annually, \$1 billion-plus dollars annually. We  
14          get none of it. I don't think that entity is going  
15          anywhere any time soon.

16          I know that we can't convince our people -- we  
17          can't talk about independence yet, because we need to  
18          first of all, run our government more efficiently as it  
19          is. So that's the first course of action so that our  
20          people can have the confidence that we can go to the  
21          next step. So that's where I am with that.

22          As we noticed, most of the other Caribbean is-  
23          lands around us are in fact sovereign nations. I want  
24          to inform you all that when I went to Barbados two years  
25          ago --



1 THE TIMEKEEPER: 1 minute.

2 SENATOR NELSON: -- to a Caribbean meeting, a  
3 meeting of Caribbean leaders, they told me that they  
4 continue -- they met with the then President George Bush  
5 on about two - three occasions, and they requested that  
6 Virgin Islands representatives be at the table.

7 And the President at the time, George Bush, tell  
8 them "the Virgin Islands is not a sovereign nation; they  
9 belong to us; we speak for them."

10 So we need to think about our status. That is  
11 why when you all talking about the Constitution and you  
12 don't want to talk about status, I have a problem with  
13 it. That mean we fluffing around, because we still have  
14 to rely on them to okay us -- the oppressors.

15 Understand who America is. Understand that the  
16 people that bought us from Denmark are the same pluto-  
17 cracy, the plantation owners who had become wealthier  
18 than the kings and queens of Denmark; understand that.  
19 That they are who broke off all the old world folks --  
20 and they had attained so much wealth from slavery, that  
21 they were able to now purchase --

22 THE TIMEKEEPER: Time.

23 SENATOR NELSON: -- the once enslaved Africans,  
24 purchase us as a country. So we have big things to talk  
25 about.

1           So, I just want to encourage my colleagues. I  
2           think this is a step, and it's a big step. It's a big  
3           platform to step off on to name this day.

4           And I'm asking for support for the Bill. We will  
5           make some immediate amendments, but I think that we can  
6           collectively come up with something that is representa-  
7           tive of what we want.

8           And I appreciate what was said that, when we pass  
9           legislation, we just set parameters. The tilling hap-  
10          pens with people who are tasked with actually carrying  
11          it out. The Legislature does not do that.

12          So I wouldn't -- any legislation that I pass, is  
13          never that micro that it spells out each and every de-  
14          tails, because that's not how legislation works; okay?

15          So I just want to thank everybody for their par-  
16          ticipation. I want to ask my colleagues for their sup-  
17          port. And I want to thank Senator Richards for telling  
18          me that I can rest a little easier.

19          And I do support the concept which he's speaking  
20          of -- transfer. And you said it good also, Mr. Tyson,  
21          what we talking about when we say "transfer." And that  
22          too is a serious statement.

23          And I heard your statement that you read in Den-  
24          mark. And, Mr. Chair, I've told you about your elo-  
25          quence before. You actually was speaking about repara-

1 tion, without using the term "reparation." And we need  
2 repair, and the time is now. Thank you very much.

3 SENATOR W. JAMES: Thank you, Senator Nelson.

4 Well, that's called "diplomacy." And I've been  
5 going to Denmark a long time, 'cause as a boy my father  
6 went to Denmark in the 1930s; my grandfather went to  
7 Denmark at the beginning of the 1900s. And I understand  
8 Danish people, to some extent, and I know exactly how to  
9 say what I have to say to get what I want. And to me it  
10 was the way to approach that situation.

11 We have Senator Nellie O'Reilly for her three  
12 minutes, you're recognized.

13 SENATOR RIVERA-O'REILLY: Thank you.

14 SENATOR W. JAMES: Can Senator O'Reilly get some  
15 sound on her microphone, please? Thank you.

16 SENATOR RIVERA-O'REILLY: Thank you, Mr. Chair-  
17 man.

18 I'm way out of my league here with all the histo-  
19 rians in the room. But I wanted to clarify just to make  
20 sure when I spoke earlier about engaging the private  
21 sector, I wasn't at all suggesting that it become part  
22 of this measure.

23 I'm more directing that comment to even ask our  
24 Senators to use the influence of our office to reach out  
25 to the private sector and for non profit groups to kind

1 of tap into grant monies and bring in the private sector  
2 so that we can ask them to participate in some component  
3 of education, whether it's happy meals, you know, essay  
4 competitions or whatever. Because it's important that  
5 we do this in collaboration with the private sector as  
6 well.

7 But now that Mr. Emanuel is here, and that there  
8 are other people representing the Department of Educa-  
9 tion here, I wanted to take the time to say that I'd  
10 like to encourage the department, if it already haven't  
11 done so, to compile or create a registry of notable Vir-  
12 gin Islanders and Hispanic Virgin Islanders and Virgin  
13 Islanders of Puerto Rican descent and their contribu-  
14 tions.

15 I don't think enough is done to celebrate and  
16 commemorate Hispanic Heritage Month, which is between  
17 September 15th and October 15th, and it culminates with  
18 the celebration of the Virgin Islands Puerto Rico  
19 Friendship Day, which I see as a very political holiday.

20 And I say it's "political" -- and I've always  
21 said this, because it is funded based on who is in of-  
22 fice. And sometimes you, you know, it's funded -- the  
23 funding levels vary, and it has become very political in  
24 nature just by virtue of the members of that committee.

25 But, be that as it may, it's the law --

1 THE TIMEKEEPER: 1 minute.

2 SENATOR RIVERA-O'REILLY: -- so I'd like to en-  
3 courage the department to compile this registry so that  
4 when these holidays come up that students are enlighten-  
5 ed, and that Hispanic Virgin Islanders, and, you know,  
6 their contributions are also considered and highlighted.  
7 And it's part of education. We're all part of this com-  
8 munity.

9 And I want to thank the testifiers. And I want  
10 to express my support for this Bill. Thank you, Mr.  
11 Chairman.

12 SENATOR W. JAMES: Thank you, Senator O'Reilly.

13 And on that note -- yes, you have one comment?

14 MR. RICKY BROWN: I'd just like to make just a  
15 brief remark.

16 Clearly, I'm humbled by the opportunity to be  
17 here, and having sit between two historians and your-  
18 self. And I've listened to all of the comments and con-  
19 cerns of Senators present.

20 I just want to put on record again that I believe  
21 that the Bill is overdue. And not being familiar with  
22 all the processes involved, I want to stress again on  
23 the record our support. We believe that it's very very  
24 significant to the history of the people of the terri-  
25 tory and in fact the Caribbean people of African ances-

1 try.

2 And again, I'm very appreciative of the opportu-  
3 nity, and have learned a great deal today. So thanks  
4 again for having me here today.

5 SENATOR W. JAMES: Thank you, man, thank you.  
6 And again, I'd like to extend a special thanks to the  
7 testifiers.

8 Obviously, we got started a little bit late this  
9 morning because of the inclement weather and having had  
10 a late night last night. So, thanks to my colleagues  
11 for coming to the meeting so that we could accomplish  
12 quorum.

13 Thanks to the testifiers for their insightful  
14 testimony. And also thanks to the people who are wait-  
15 ing to testify, because, you know, we all are very very  
16 busy people. And as a matter of fact, I'm always amazed  
17 at how the people come to testify and spend all these  
18 hours totally disrupting their days at work. And I'm  
19 sure they're going to have double work to do tomorrow  
20 because of this.

21 So, it is not without much gratitude that we --  
22 we -- welcome you here. It's beyond the call of duty,  
23 really. But thanks a lot.

24 And so at this point, I'd like to ask the Ser-  
25 geant-at-Arms to excuse the testifiers from the well.

1 Again, thank you for coming.

2 MR. EMANUEL: Thank you, Mr. Chair.

3 SENATOR NELSON: Motion?

4 SENATOR W. JAMES: Motion, you're recognized.

5 -----  
6 MOTION ON BILL NO. 28-0010  
7 -----

8 SENATOR NELSON: Thank you, Mr. Chair.

9 Mr. Chair, I move that Bill No. 28-0010 - An Act  
10 amending Title 1, Virgin Islands Code, Chapter 11, Sec-  
11 tion 171 commemorating laborers on "Fireburn Day," to be  
12 revered and remembered in the Virgin Islands, that it be  
13 moved out of the -- passed -- approved by this Committee  
14 and moved out to the Rules Committee for further consi-  
deration or deliberation. I so move.

15 SENATOR RIVERA-O'REILLY: Second.

16 SENATOR NELSON: There's a second established.

17 Roll call?

18 -----  
19 ROLL CALL ON BILL NO. 28-0010  
20 -----

21 MS. HORTENSE M. ROWE: Roll call on Bill 28-0010.

22 Senator Craig Barshinger? Senator Barshinger,  
absent.

23 Senator Louis Patrick Hill?

24 SENATOR HILL: No.

25 THE CLERK: Senator Louis Patrick Hill, no --

1       nay.

2               Senator Neville A. James?   Senator Neville A.

3       James?

4               SENATOR N. JAMES:   Not voting.

5               THE CLERK:   Not voting.

6               Senator Terrence "Positive" Nelson?

7               SENATOR NELSON:   Yes.

8               THE CLERK:   Senator Terrence "Positive" Nelson,

9       yea.

10              Senator Nereida Rivera-O'Reilly?

11              SENATOR RIVERA-O'REILLY:   Yes.

12              THE CLERK:   Senator Rivera-O'Reilly, yes.

13              Senator Michael Thurland?   Senator Michael Thur-  
14       land, absent.

15              Senator Wayne James?

16              SENATOR W. JAMES:   Nay.

17              THE CLERK:   Senator Wayne James, nay.

18              Mr. Chair, 2 nays -- 2 yeas; 2 nays; 1 not voting  
19       and 2 absent.

20              SENATOR W. JAMES:   The motion fails.

21              SENATOR NELSON:   Point of Order?   How is that a  
22       failed?   I need that explained to me.

23              2 yeas; 2 nays; 1 not voting.   Can we get legal  
24       counsel inside here?   I'm challenging the Chair.   I need  
25       to know.



1           SENATOR W. JAMES: Sergeant-at-Arms, can we ask  
2           the legal counsel to come in to decide whether two  
3           against two, 2 yeas; 2 nays, would constitute a failed  
4           motion?

5           Legal Counsel, you're recognized. Please state  
6           your name for the record?

7           ATTORNEY PAULETTE FRAZIER ALEXIS: Through the  
8           Chair to Senator Nelson:

9           Paulette Frazier Alexis for Legal Counsel.

10          The motion fails for failure to have a majority  
11          vote. You need a majority of the members present.

12          SENATOR HILL: Motion?

13          SENATOR W. JAMES: Senator Hill, you're recog-  
14          nized. Motion?

15          -----  
16          SECOND MOTION ON BILL NO. 28-0010  
17          -----

18          SENATOR HILL: Mr. Chairman, I move that Bill No.  
19          28-0010 - An Act amending Title 1, Virgin Islands Code,  
20          Chapter 11, Section 117 commemorating laborers on "Con-  
21          tract Day" or "Fireburn" as a day to be revered and re-  
22          membered in the Virgin Islands be held in the Committee  
23          of Education, Youth & Culture to be amended and to be  
24          placed on the agenda at the call of the Chair once the  
25          amendments to the Bill are prepared and ready. I so  
            move.

1 SENATOR N. JAMES: Second.

2 SENATOR W. JAMES: Roll call?

3 -----  
4 ROLL CALL ON SECOND MOTION  
5 -----

6 THE CLERK: Roll call on the amendment.

7 Senator Craig Barshinger? Senator Craig Barshin-  
8 ger? Senator Barshinger, absent.

9 Senator Louis Patrick Hill?

10 SENATOR HILL: Yea.

11 THE CLERK: Senator Louis Patrick Hill, yea.

12 Senator Neville James?

13 SENATOR N. JAMES: Yea.

14 THE CLERK: Senator James, yea.

15 Senator Terrence "Positive" Nelson? Senator  
16 Terrence "Positive" Nelson?

17 SENATOR NELSON: [No verbal response]

18 THE CLERK: Senator Nereida O'Reilly?

19 SENATOR RIVERA-O'REILLY: Yes.

20 THE CLERK: Yea.

21 Senator Michael Thurland, absent.

22 Senator Wayne James?

23 SENATOR W. JAMES: Yes.

24 THE CLERK: Yea.

25 Mr. Chair, 4 yeas; 2 absent and 1 not voting.

SENATOR NELSON: Mr. Chairman, can you change my

1 vote to "yes?"

2 THE CLERK: Mr. Chair, 5 yeas; 2 absent.

3 SENATOR W. JAMES: The motion carries.

4 SENATOR N. JAMES: Point of Personal Privilege?

5 SENATOR W. JAMES: Yes, Senator Neville James,  
6 you're recognized for a Point of Personal Privilege.

7 SENATOR N. JAMES: Thank you very much, Mr.  
8 Chair.

9 Mr. Chair, I would like for you, at the appropri-  
10 ate time, to -- for those who are viewing and listening  
11 to put on the record what we would like to do in embel-  
12 lishing the Bill that was presented before us with res-  
13 spect to what you would like to make of this legislation  
14 in a comprehensive manner.

15 So, at the appropriate time I'd like for you to  
16 speak to that, 'cause I don't want the public to think  
17 that we're actually against the Bill. There's something  
18 that we would like to do here in the committee that  
19 would allow for the Bill to actually have more teeth.

20 I thank you very much, Mr. Chairman.

21 SENATOR W. JAMES: Thank you, thank you.

22 Senator Nelson, you're recognized.

23 SENATOR NELSON: Thank you very much, Mr. Chair.

24 Mr. Chair, I take this Point of Personal Privi-  
25 lege because I see a lack of consistency amongst the

1 members of the Legislature.

2 Just yesterday we gave the Governor authorization  
3 to go to borrow \$90 million. The Bill needed all kind  
4 of amendments, and they passed it and said they're going  
5 to amend it in Rules.

6 So I'm just showing that there's a lack of con-  
7 sistency where this Body is concerned. It's for others  
8 to be able to amend Bills later, but when this Bill  
9 comes, something of such significance, we want to hold  
10 it and amend -- until it gets amended.

11 I've seen measures that's going to impact us for  
12 30 and 40 years to come being passed on, rushed on as a  
13 matter of fact, and say you're going to amend it later;  
14 amend it later. And it was much more detrimental impact  
15 to the people and the Treasury of the Virgin Islands.

16 So I just wanted to put that clear on there. I  
17 don't mind it being held; it's still alive. But I just  
18 want to say that it's a lack of consistency where this  
19 Body is concerned certain times, and it's going to be  
20 evident to everybody whoever paid attention to these --  
21 this Body, even as recent as yesterday, can see that.  
22 So I just wanted that to be very clear.

23 And don't rob the people of this; don't hold it  
24 back in the name of nothing. We just need to go ahead  
25 and do, because it makes a profound statement on behalf

1 of our ancestors and our legacy.

2 So, I thank you very much.

3 SENATOR W. JAMES: Thank you, Senator Nelson.

4 I think what we should do at this point is recess  
5 for a couple of minutes so people can stretch their  
6 legs, and then we come in and entertain the other items  
7 on the agenda.

8 It is now 10 after 1:00. We should recess for 10  
9 minutes, returning at 20 after 1:00 and by then we  
10 should be able to present the new items.

11 So this Committee meeting on the Committee on  
12 Education, Youth & Culture is hereby in recess for 10  
13 minutes. Thank you.

14 -----  
15 Thereupon, Reporter K. Dowling was  
16 relieved by Reporter J. Samuel after the recess.  
17 -----

18 \* \* \* \* \*  
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